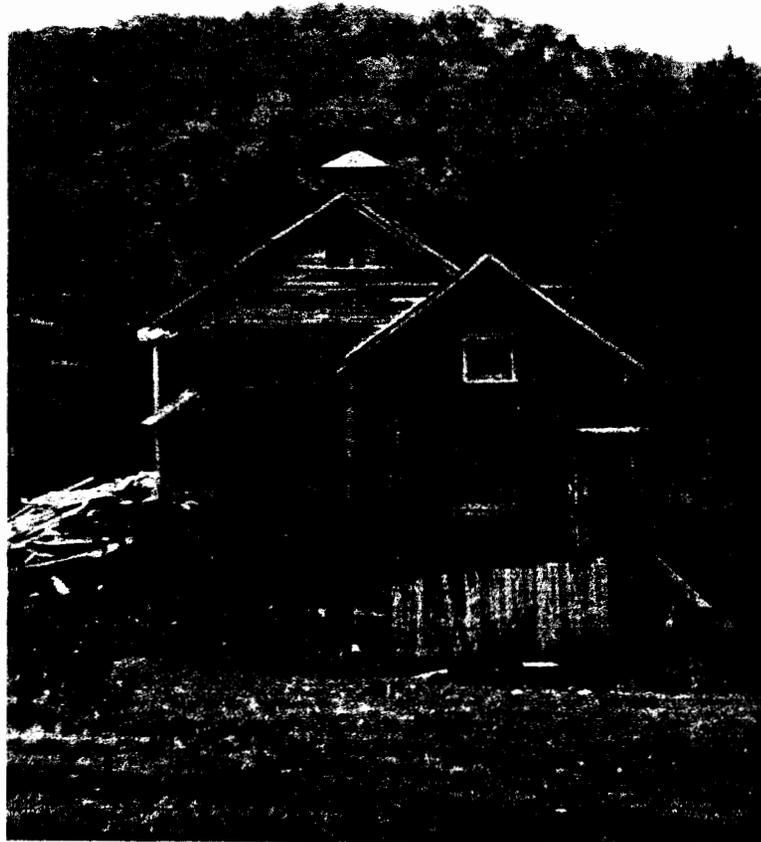


# SUNNYBROOK FARM

## Future Possibilities for a Restricted Property



### STUDENT PAPER

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## **Introduction**

Berkshire County was once covered with vast tracts of open land, most of which were dairy farms. As the commonwealth moved through this century, small dairying operations became unprofitable in the market of subsidized milk prices and large corporate farms. Much of the open land gradually reverted to forest, and in many places this forest is unrecognizable as old farm land. In the last few months alone, three of Williamstown's six remaining dairy herds were sold, which means that even more of the county's remaining agricultural land will disappear. Art Rosenberg, a lifetime resident of Williamstown, is determined that his farm, once a dairying operation, will never travel this path.

With this goal in mind, Art and the Williamstown Rural Lands Foundation (WRLF) are in the process of drafting a conservation restriction for Sunnybrook Farm, Art's property, that will remove the development rights from land and keep it legally open forever. This restriction will make the land easier to purchase, but also more difficult to manage in terms of keeping the land financially self-sustaining. Our project was to find uses for the farm that are in keeping with the guidelines of the restriction as well as the WRLF's wish that the land remain agriculturally productive. Art is currently revising his will, so it is unknown who will actually own and manage the farm in the future. With this in mind, we devised a range of possible options that are meant to be tailored to the amount of effort any future owner wants to put into the property. The low-maintenance end includes renting both the house and land, perhaps for nursery stock supplied to a local business, through a Bed and Breakfast, and finally either a sheep dairy or a llama farm for an ambitious farmer.

## **Site Description**

Sunnybrook Farm, which is also known as Sheep Hill Farm, is located on 61.4 acres of steep east-facing slope between Route 7 and Bee Hill in Williamstown. It was originally a gentleman's farm purchased by the Bullock family of Cincinnati in the late

1850's. The property is bordered on the east by Hemlock Brook, which is the outflow for a natural spring and wetland on the property. The wetland takes the form of a cattail marsh which is located on the lower section of the southern half of the hill. The spring surfaces here and flows under the driveway in a culvert, resurfaces next to one of the barns, and flows off the property and into Hemlock Brook. The northeastern corner of the property is characterized by Bullock's Ledge, a 15-acre parcel of mesic forest that was originally part of Sunnybrook farm. This land was recently purchased by the Massachusetts Department of Fish and Wildlife in order to protect the endangered hairy honeysuckle (*Lonicera hirsuta*), which is encountered there. Three other species which are also given special consideration by the Natural Heritage Program, *Climetis occidentalis*, *Carex hitchcockiana*, and *Acer nigrens*, can also be found on Bullock's Ledge.

The property is bordered both on the north and south by private housing, and on both sides by small commercial districts on Route 7. The two nearest businesses are an antique store owned by Carl Phelps, and an upscale restaurant. The farm was historically used as a cattle dairy (the cattle grazed on the upper slopes) and as small vegetable garden on the lower flat, but Art Rosenberg, the current owner, has recently been utilizing it only as pasture for ten replacement cattle. Sixty acres is too much land for these cattle to keep down, so Art mows the property annually in order to prevent the forest from encroaching on the field. The open hillside affords tremendous views of the farm from the highway, and of the Berkshires south of Williamstown from Bee Hill Road. This scenic value brought it to the attention of the Massachusetts Highway Department for preservation consideration under the Scenic Roads program. Unfortunately, this program has had its funding cut severely recently, so purchase by the state in this manner is no longer feasible. The southern end of the property provides a bit of pasture for four sheep owned by Carl Phelps, the previously mentioned owner of the antique store in the commercial area just south of Sunnybrook farm.

The property contains several buildings, including three of potential historic value. The farmhouse, Art's home, dates to the 1830's, as do the two barns that were "old when we moved here" according to Art. The farmhouse itself has been added on to several times, including a two car garage that Art Sr. added when the family first arrived. Aside from two finished bedrooms upstairs and two parlors and a livingroom downstairs, the house also contains three unfinished rooms on a half-level that is accessed from the second floor. The house also has a small cellar under the main section of the building.

The Rosenberg family changed none of the original uses of the barns when they purchased the property. The larger was used as a dairy barn and hayloft, and the smaller one was a carriage house and horse barn. The family added the two-car garage to the house when they arrived in the 1930's, and Art recently built a new equipment garage (where he keeps his tractor) behind the farmhouse in order to replace an older one which is in serious decay. The property also contains a cinder milking shed, a chicken coop, Art's workshop, and a few other small sheds which are in various stages of decay. A tottering ski operator house lies at the base of the hill, a relic from the 1930's when the college used the property as their ski hill. Remnants of the old ski jump can still be spotted in the middle of the hill, which the college stopped using in the 1950's. The property contains several different types of soil, from the Farmington Rock complex, which is extremely shallow and difficult to farm on, to the Copake fine sandy loam and Pittsfield and Nellis loams, which are better able to support both food crops and forest.

### **A Brief History of Art and the Farm**

Art Rosenberg was still a child when his parents, Art Sr. and Ella, purchased Sunnybrook farm in 1933. He and his father actively managed the family's dairying operation and hayfield for 52 years before they decided to sell off their herd in the declining market of the mid-eighties. Ever since then, the farm has supported the grazing of replacement cattle, which Art now only keeps in the warmer months. The family also used

to raise crops for personal consumption on the lower section of the land. Art mentioned growing sweet corn, potatoes, lettuce, and strawberries in particular, which the loam soils that dominate the lower section of the southern hillside are generally able to support. The family also grew some hay for their cattle on the steeper slopes.

After his siblings moved away, Art and his father managed the farm by themselves. Art Sr. transferred the property to his son in a non-arm's length transaction in 1988. Art now has fiduciary right to the farm, which means that no one else in his family has any claim to it. It has been his wish for a long time to keep the property open; the way it and the rest of the county were when his family first moved here. In the 1930's, Berkshire county was primarily devoted to dairy and crop farming, but the subsidizing of milk prices has forced many dairying operations out of business, and it is also no longer profitable to raise crops on a small farm. Much of the former farm land has reverted to forest, and Art does not want all of his hard work and family history to do the same. None of his siblings want to move back to the farm in order to keep it open, so Art has been looking for a different future caretaker for Sheep Hill. By his reasoning, the farm has taken care of him for his whole life, and it is time for him to do something for the farm. (WRLF information video, 1995)

### **Conservation Restrictions**

In pursuing this wish, he applied for a state APR in 1987, a restriction which would have kept the land in agriculture forever. The restriction was denied, because in order to be considered for this kind of state preservation, a farm must have both agricultural *and* scenic importance. Although incredibly scenic and valuable to Art personally, the land is very steep and difficult to manage, and the state did not feel that the farm had desirable enough slope or soil to preserve under an APR. Art then approached the Williamstown Rural Lands Foundation to see if the foundation could find a way to preserve it. The WRLF is in the process of buying the development rights from Art in a conservation

restriction that is structured much like a state APR. This restriction prevents activities “detrimental to the actual or potential agricultural use of the Premises, or detrimental to water conservation, soil conservation, or to good agricultural and/or forestry management practices or which is otherwise wasteful of the natural resources of the Commonwealth...” (WRLF conservation restriction draft, 1997) Once these rights have been separated from the property, no new construction will be allowed, and only changes that do not alter the original footprint of the existing buildings can take place. Excavation and dredging will also be prohibited, as will the construction of a new driveway, unless prior written approval is granted by the WRLF. Even after approval has been granted, the permit is only good for two years before another application must be filed.

Once the rights are removed, the actual value of the land will also decrease, which would make it easier for a new farmer to purchase it than if the “bundle of rights” were undisturbed. As owner of the conservation restriction, the WRLF will have the right of yearly oversight of the property, a right which includes the legal obligation to mow the land every year if the new owner does not keep it open or agriculturally productive. If the terms of the restriction are being violated, the Foundation has the right to pursue legal action against the owner. Art is “looking for the proper person to continue farming”, in his own words, so his will no longer states who the intended future owner is. (Art Rosenberg, personal interview, 1997) It is unknown what type of person will actually own the property in the future. If Art remains undecided and the land eventually goes up for sale, the WRLF will most likely have the right of first refusal.

### **Project Mission**

Art is interested in the conservation of the farm as it was seventy years ago when he first arrived. He insists that the hillside remain open, and he is also quite fond of the occasional spots of habitat which are difficult to mow, and are now home to many small mammals and birds. As part of their purchase of the restriction and oversight of the

property, the WRLF is required to keep with this wish, and, in the spirit of an APR, would prefer to keep the hill agriculturally productive. The conservation restriction means that the “best” option for the land, namely subdividing it into house lots, is no longer a feasible option.<sup>1</sup> The ideal situation would be for the land to be financially self-sustaining in order to cover the cost of maintenance (and taxes, if the WRLF does not eventually own the land) using the “best” options that are left. This maintenance would involve the yearly mowing of the hillside if it is not kept down through some other means in order to prevent forest encroachment. This sounds like a simple task, but it is a job that most people consider Art to be the only one crazy enough to do.

In order to avoid subsidizing the necessary costs of finding someone to mow the hillside, the WRLF is looking for alternate uses for the farm. It is currently being used to graze replacement cattle, an operation that has ceased now that winter has come and Art has returned the cattle to their owner. These ten cattle also do not graze enough to make the mowing of the hillside unnecessary. Therefore, our group is looking at a series of possible alternative future uses that aim to both keep the property financially self-sustaining without the development rights and find a range of uses that would suit the needs and interests of the most likely candidates for future stewardship of the farm. These options range from low-maintenance operations that would likely suit a caretaker such as the Rural Lands Foundation up to intensively-managed farming operations that may be attractive to young and ambitious farmers.

## **Legal Issues**

Before proceeding with all of our possible options, it was necessary for us to look at all of the legal ramifications surrounding the current state of the farm as well as laws that could affect future scenarios. The farm is currently listed under tax status Chapter 61A, which is a special provision made for agricultural land that allows the owner of over five

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<sup>1</sup> This “best” option was a term used in a recent appraisal of the property as requested by the WRLF.

acres of land to pay very small property taxes on it if it makes over \$500 a year from agriculture. If the use of the land were ever converted to non-agricultural, all of the back taxes would have to be paid. Once the development rights have been removed, however, the land will move out of this status without incurring the back-taxes penalty. This alteration will not, however, drastically alter the amount of taxes paid on the property. The development rights constitute a large portion of the value of the land, so the overall value will have decreased by enough to lower the dollar amount of taxes paid. If the WRLF ends up owning the land, they have the right to do so tax free, which is an exemption granted to all non-profit organizations in the commonwealth.

Bee Hill Road, which marks the western edge of the property boundary, is also one of four designated "Scenic Roads" in Williamstown. This means that no trees can be cut along the road nor any stone walls removed without a permit. Because none of the future management options for the farm include doing either of the above along that property line, this consideration will not be very important.

The property does contain a wetland, as was mentioned in the site description. As an agricultural area, it has always been exempt from the Massachusetts Wetlands and Rivers Protection Act, which would have created a 100 foot buffer zone around the actual wetland where no prohibited activities (as outlined in the act) would have been permitted, in order to protect the water supply flowing in and out of it. If the new owner decides to do any renovations to the farmhouse, the building located closest to the wetland, he would have to apply for a special permit from the conservation commission. As it stands with the conservation restriction, the footprint of that building could not be changed, nor could any other buildings be erected closer to the wetland.

The issues surrounding Bullock's Ledge are also interesting. The Endangered Species Act applies to *Lonicera hirsuta*, the hairy honeysuckle, which means that its habitat must be protected. This was accomplished with the Department of Fish and Wildlife's purchase of the property, but their ownership created some other legal issues. All land

owned by this department must allow deer hunting on it during the commonwealth's hunting season. Art was very concerned about this provision until all of the restrictions applied to hunting came into effect. Hunting is not allowed within 100 yards of a building, a road, or a fence, and once all of these restrictions are laid over Bullock's Ledge, only one square acre of land in the middle would be open for hunting. (Leslie Reed-Evans, 1997)

Sunnybrook Farm is also an interesting zoning case. It lies in both Rural Residence Zones 2 and 3, which have different uses associated with them. RR3 was created fifteen years ago in order to specify the location of the town sewer, which was extended along Route 7. This zone contains Art's house and all the other buildings on the property, while the hillside is entirely contained in RR2. Neither zone allows for any commercial use of the property, so if our Bed and Breakfast option were to be considered, either a special permit, variance on allowed zoning uses, or re-zoning would have to take place. This re-zoning requires a 2/3 majority vote in town meeting.

### **Future Management Options**

This section of the paper begins the discussion of future management options, starting with those that would involve the least amount of effort and involvement on the part of the future owners and working up to those that are slightly more complicated.

Specifically, this section examines the options that would be feasible if the Williamstown Rural Lands Foundation, or WRLF, owned the land. Why would the WRLF be a likely future owner of the property? One, they own the development rights, indicating a strong interest in the property; two, once they finish writing the conservation restriction, they will most likely have the 'right of first refusal' on the property, meaning that before the land could be sold, the sellers would have to consult with the WRLF first; and three, as Art has fiduciary responsibility for the land, a tax break via donation could be just as desirable for him as cash.

Although the WRLF would be an optimal owner in terms of ensuring the future conservation and preservation of the property, there are two immediately apparent obstacles to the organization owning the land. One, the purchase or acceptance of the property would have to be approved by the Board of Directors of the organization, who have not yet been formally consulted; and two, the Foundation would have to develop a permanent method of meeting the maintenance, tax, and legal expenses of the property. Apparently it is typical in many situations such as this that the landowner, upon donation of his or her property to a land trust, also establishes an endowment for the property. This would ensure that if the conservation organization involved goes out of business for some reason, the property itself can still remain protected. However, it does not appear that an endowment will readily appear for Sunnybrook Farm, and thus we must search for uses through which the property could be made to generate a little income.

### **Renting the House**

The simplest option for a future owner, say, the WRLF, to pursue would be to fix up the house and rent it out. This would at least provide a base-level income that would hopefully cover day-to-day maintenance, and possibly provide enough to hire someone to mow the property once a year to keep it open, as Art desires. Although the house is currently livable, before it could be rented, it would require some rather extensive remodeling. It is good sized (about 2300 square feet) but was built in the 1830's and probably hasn't been remodeled since about the 1950's (although it did receive a new roof last summer). The electrical wiring is still the original "knob and tube" setup, dating back to the 1930's or 1940's; some windows upstairs in the unfinished apartment are permanently open to the outside air. After a site visit November 26, 1997, Mr. Eric Beattie from Buildings and Grounds at Williams provided us with the following rough estimate for renovation and repair costs: (see chart on next page)

## MINIMUM MODERNIZATION FOR MAIN HOUSE

Item for Repair:

Estimated Cost:

|   |                  |
|---|------------------|
| New Kitchen   | \$15,000         |
| Repaint Exterior  | \$10,000         |
| New Gutters   | \$2,000          |
| New Windows   | \$10,000         |
| Repoint Chimneys  | \$2,000          |
| New Heating System  | \$8,000          |
| Asbestos/Lead Removal   | \$5,000          |
| New Electric Wiring, Fire Alarms, Lights                        | \$8,000          |
| New Exterior Doors, Redo Porches                                | \$5,000          |
| Redo Floors, Replace ceiling, Add chair rail, Skim coat plaster | \$30,000         |
| Landscaping (variable)  | \$4,000          |
| Misc. Structural Repairs  | \$10,000         |
|   | -----            |
| <b>TOTAL:</b>   | <b>\$109,000</b> |

A large, but not entirely insurmountable amount, especially given that the overall purchasing price on the property will have been substantially reduced by the subtraction of the cost of the development rights. (Imagining that the house could be rented for \$1,000/month, thus grossing \$12,000/year, the renovations could be paid for in roughly 10 years.)

In addition to overcoming the financial hurdles presented by the need for renovation on the property, the future owners may also face difficulties in regards to the wetland on

site. If any remodeling was to occur within 100 feet of the wetland, i.e. in the buffer zone, the Massachusetts Wetland and Rivers Protection Act would require that a notice of intent be filed with the local Conservation Commission, who would either deny or permit the proposed action. However, having spoken with the Wetland Expert on the Board, Dr. Henry Art, it appears doubtful that the local Conservation Commission would raise any objections to remodeling the house on Sunnybrook Farm. Additionally, should there be any agricultural activity occurring simultaneously on the property, the Wetland and Rivers Protection Act would not apply.

### **Bed and Breakfast**

A second, potentially more profitable, future management scheme would be for the WRLF to lease the house out to parties interested in running a Bed and Breakfast, or even oversee the business themselves. Why would Sunnybrook Farm be suited for a Bed and Breakfast? First of all, on a regional scale, tourism is a large factor in the economy of the Berkshires: in 1994, tourism generated \$180,000,000 dollars for the county. 2.25 million visitors were recorded in 1995, 92% of which said they would visit again. On a more local scale, Williamstown itself has many attractions, from the leaves in the fall, to the theater in the summer, to skiing in the winter. Additionally, the College attracts visitors on a sporadic basis for interviews and conferences, in addition to the more regular events such as reunions, family weekends, and graduation. The Clark Art Institute also provides a year-round draw. Currently, there are 10 B&B's operating in the Williamstown area, charging \$50-125 dollars a night for a double, and generating enough business that 4 of them can require 2 night minimum stays at times. (If the Sunnybrook B&B charged a medium rate, say \$75/night, and had at least one room rented out four nights a week, the business would pull in over \$15,000 year, which (even as a low estimate) would perhaps prove more profitable than renting the house in the long run.)

On a smaller scale, Sunnybrook Farm would also be a suitable location for a B&B due to the more specific strengths of both the house and the land. The property is located on a fairly major thoroughfare, Route 7, which would make it easy to find, and its relatively central location makes it only a 2 minute drive to the College and the heart of town. Additionally, people looking to escape from the city (Boston, New York) for the weekend might really enjoy the rustic aspects of the farm and the house. As Eric Beattie from B&G suggested, the house would lend itself quite nicely to a restoration and remodeling in the Shaker style, which would tie in well with the agricultural history of the area. Tying in to the agricultural history of the area would not only be in spirit of Mr. Rosenberg's long-desired APR, it would also be a way to join the recent national trend of developing "agricultural-based tourism". A recent New York Times article by Julie Iovine points out that "over the past decade, that most revered of American institutions, the small farm, has gradually taken on some of the characteristics of that all-American obsession: the theme park. Agritainment, also known as agritourism, is the latest gambit in small farm-survival tactics." Perhaps the guests at Sunnybrook Farm would be interested in observing or even helping out with some agricultural activities on the farm. The Old Chatham Shepherding Company Inn in Old Chatham, New York, has successfully combined a sheep dairying operation with a luxury inn; perhaps Sunnybrook Farm could do the same.

Agriculture and tourism have also successfully been combined by a local operation, Field Farm Guest House, located at 554 Sloan Road in South Williamstown. Field Farm is managed by the Trustees of Reservations, a statewide land trust with similar conservation and preservation aims as the WRLF. The Trustees of Reservations have owned the Field Farm property since 1983, when the Bloedel family donated the property, along with a significant endowment for the small, architecturally significant house known as "the Folly," to the organization. No endowment was established, however, for the main house, and thus the Trustees of Reservation were faced with the possibility of having to destroy it for lack of funds. However, Dave and Cathy Loomis, the proprietors of Williamstown's

River Bend Farm B&B, approached the Trustees and suggested that they lease it to them so they could open a second B&B. The business has become so successful that after the Loomis' retired in 1995, the Trustees decided to manage it directly, and hired a new couple, Jean and Sean Cowhig, to oversee the operation. The 5-bedroom Guest House currently offers amazing views of Mt. Greylock, hiking trails, and a beaver pond, all within an agricultural setting (the Trustees lease out some of the property to a local farmer to grow hay), all in all providing an excellent model for the WRLF of a profitable way to preserve the buildings and agricultural character of Sunnybrook Farm.

There are, however, many obstacles a future owner would face before they would be able to open and operate a successful B&B. The way the house is set up now is not optimal for a Bed and Breakfast; some rather extensive reorganization would be required. Please see Appendix I: Bed and Breakfast Floor Plans for what we feel would be the “best” remodeling option. The additional changes from the minimum modernization outlined above (converting the garage to a dining room, adding the new stairway, etc.), would entail greater costs, as seen on the next page:

## ADDITIONAL EXPENSES TO START UP A B&B

Item for Repair:

Estimated Cost:

|  |                  |
|--|------------------|
| New back stair                             | \$6,000          |
| New bathrooms (3)                          | \$25,000         |
| Convert garage to dining room              | \$10,000         |
| Furnishings (beds, linens, curtains, etc.) | \$30,000         |
| Misc. Expenses (Insurance, Signs, etc.)    | \$5,000          |
| Pave driveway                              | \$5,000          |
| Total from Minimum Requirements            | \$109,000        |
|  | -----            |
| <b>TOTAL:</b>                              | <b>\$190,000</b> |

These costs can be made to seem less daunting if two things are kept in mind: one, if the B&B was set up as a corporation, i.e. as a separate tax entity, many of these costs could be written off as "business expenses," and two, if the Rural Lands Foundation owned the property, as a non-profit, they would not have to pay any property taxes.

Even if the financial obstacles above could be overcome, there would still be a few slight problems with zoning. Currently, the farm straddles the Rural Residence 2 and Rural Residence 3 zones, both of which flat-out prohibit the operation of a "tourist home," or B&B. However, the property sits sandwiched between two areas zoned "tourist business," where opening a B&B is allowable on a Special Permit from the Zoning Board of Appeals. (Please see Appendix II: Zoning Map.) It doesn't seem too farfetched to think that should the future owner come before a Williamstown Town Meeting, the necessary two-thirds majority could be obtained and zoning could be changed on the lower half of the property to conform with the neighboring uses, whereby a B&B would be permitted via Special Permit.

Last but not least, the current draft of the conservation restriction/APR that the WRLF is writing for the property presents a few obstacles to opening a B&B. The restriction, as written, mandates that the land be maintained in “active agricultural use,” defined as “deriving at least fifty-one percent (51%) of annual gross income from agricultural uses on the Premises.” Simply renting out the home or operating a Bed and Breakfast would most likely not meet the above criteria. Additionally, “the use of the premises for non-agricultural use,” as well as “the construction or placement of an asphalt driveway, road, parking lot, utility pole, tower, conduit or line in support of a temporary or permanent structure or improvement” both require prior written approval of the WRLF, who will only grant permission to “a farmer actively engaged in full-time commercial farming.” While these three criteria *could* conceivably be met, the restriction also mandates that permission only be granted if “no new construction is required” or that “no major renovations of existing structures are required.” Although these two conditions appear irresolvably problematic, the copy of the APR we have is only a draft; I would surmise that these two clauses will be changed as they pretty much preempt any comfortable future uses of the buildings, especially the house.

## **Agricultural Uses**

Given the above limitations, it appears that our first two options (renting the house and starting a B&B) could only occur in addition to “active agricultural uses.” Thus, we would now like to present three suitable agricultural options, again starting small and progressing to more intense, more involved operations.

### **1. Nursery Operation**

This option would require that the future owner of the property lease out the land to a local farmer interested in growing trees and shrubs for the local landscaping trade. This idea stems largely from a proposition by Carl Phelps, who has been working since 1993 to

transform his current antiques business on the adjacent property into a Garden Center. Garden Centers are booming nationwide, and would have a good market here in Williamstown, where there are nearly 2000 owner-occupied homes in need of landscaping materials. Additionally, local landscapers currently have to drive to Albany or Great Barrington to locate quality wholesale plants, also indicating a need in the local area. In addition to residents and landscapers, tourists passing through Williamstown might be interested in purchasing high-quality garden items; no doubt *some* of the 5,800 automobiles the Massachusetts Department of Public Works recorded passing by on average on Route 7 every day would stop. Thus, if a successful garden center opens up next door, it would be logical for Sunnybrook Farm to supply some of its needs.

However, many concerns would naturally be raised by a farmer interested in using the property. First of all, the land, on the whole, does not appear to be ideally suited for a nursery operation due to its steep slopes; however, we feel that there is enough relatively flat acreage on the lower slopes to make the necessary infrastructure investments worthwhile. Secondly, as far as soil concerns, two of the soil types on the property are conducive to crop production--most areas of Copake Fine Sandy Loam in Berkshire County are used for cultivated crops, and are well suited for row crops and irrigation, and the Pittsfield and Nellis Loams, although steep, are listed in the Berkshire County Soil Survey as well suited for woodland, and thus, trees and shrubs. The soils in the Farmington Rock complex areas are too shallow to grow crops in, but there would most likely be enough acreage available in the other areas, for as nursery operations are fairly land-intensive. (Please see Appendix III: Soil Types on the Rosenberg Property.) Other than soils, farmers worry about climate, which would perhaps limit what species could be grown, but would not prohibit an operation from being successful (there are nurseries operating in Alberta, Canada). A fourth consideration would be watering the plants, which does not seem to be a problem in Williamstown, where it rains an average of 3 1/2" every month, nor on Sunnybrook Farm, where a year-round spring feeds into nearby Hemlock

Brook. Last but not least, farmers might worry about zoning, but fortunately agriculture on five acres or larger is permitted in all zones. Thus, even if the changes proposed above for the Bed and Breakfast were approved, agricultural uses would still be allowed.

Other problems that would exist, but that would be external to the future owner of the property (say, the WRLF), would be the capital expenditures involved. Nursery operations, depending on their scale and focus, be it in-the-ground “ball and burlap” supplies or above ground “container” supplies, require large amounts of expensive equipment. However, none of the irrigation systems, shade houses, propagation facilities, fertilizers, pesticides, equipment, or labor would need to be supplied by the WRLF; the farmer leasing the property should be able and willing to supply those needs.

Another problem would exist, however, for both the nursery *and* Bed and Breakfast options: the WRLF, a non-profit organization, could end up....making a profit. Other non-profits, however, have found ways around this seemingly insoluble paradox: Mark Zemick, over at the Deerfield Land Trust, reports that his organization has avoided an audit by the IRS by making sure that the money they earn from a historic general store they own in Ashfield is all spent “in pursuit of their approved mission”, i.e. preserving the agricultural character of the area and conserving land. The Cowhigs, at Field Farm Guest House, explained that the Trustees of Reservations are able to own *that* profitable business because the organization, on the whole, does not show a profit. Rather than pocketing the income, or distributing it to shareholders like a large corporation would, the Trustees simply have to spend it. Thus, this issue would most likely not really be a problem for the WRLF.

## **2. Reconsidering the Sheep Dairy Proposal**

While we were considering Art Rosenberg's and WRLF's wishes for the future of the Rosenberg farm, it appeared that the proposal from one of last year's ES 302 groups of creating a grass-based sheep dairy would be one of the most feasible alternatives. Our

group was at first hesitant about including the sheep dairy in our final proposal because we felt that it might be more important for us to explore new alternatives rather than working with an earlier idea. However, like the do nothing option, in some cases the best alternative for a project is to work with what already exists. In this proposal, a private party would buy the Rosenberg property and actively manage a flock of dairy sheep that could range from 35 to 150 ewes. The property has the space and facilities to accommodate all aspects of a dairy operation, from grazing and milking to the production of the final cheese products. We chose to pursue the sheep dairy proposal for two reasons: 1) the aesthetic, legal, and economic realities of a sheep dairy seem well suited to the Rosenberg Farm, and 2) we were curious about how feasible it would really be to convert the pre-existing buildings on the farm for sheep dairy use.

One of the main advantages of the dairy proposal is that it would provide a solution that would meet the aesthetic needs of Art Rosenberg, WRLF, and the Williamstown community. Both Mr. Rosenberg and the WRLF are committed to keeping the property open and productive even when other farms in the area have reverted to forest. With proper management, grazing sheep would keep the level of grass low and would prevent invasive species, such as rose and yellow birch, from colonizing the pasture. Last year's group also explored how controlled grazing by sheep on the hillside could be used to increase the productivity of the land without the addition of external inputs (Deane et. al, 1996). Keeping the pasture open would not only meet Mr. Rosenberg's personal wishes for the visual appearance of the property, but would also benefit the Williamstown community by preserving the valuable view out over the hillside from Bee Hill Road.

Along with the aesthetic benefits that grazing sheep would provide for the property, a dairy operation would also fit in well with the legal considerations of the farm. The WRLF is drafting a state Agricultural Preservation Restriction (APR) for the farm in an effort to encourage sound soil management and to preserve the natural resources and the agricultural use of the land. According to the APR,

No activity detrimental to the actual or potential agricultural use of the premises, or detrimental to water conservation, soil conservation, or to good agricultural and/or forestry management practices . . . shall therefore be permitted.

If it were managed properly, a sheep dairy would meet these requirements and would not be detrimental to water or soil conservation. A second legal consideration stems from the wetland that is located on the farm and the restrictions that would be involved with the Massachusetts Wetland Protection Act (WPA). The WPA is designed to encourage small farmers to diversify their businesses by making changes in their property to accommodate new forms of agriculture (Farming in Wetland Resource Areas, 1994). This means that if renovations were done on the Rosenberg Barns in order to modify them for a sheep dairy, the owner would be exempt from review by the WPA and would not have to acquire a special permit.

Another reason that a sheep dairy would be a good choice for the Rosenberg farm is that the popularity of sheep dairy products is currently growing in the United States. The amount of sheep's cheese that the US has imported has increased from 32.5 million pounds in 1984 to over 66 million pounds in 1994. Even though there is a growing demand for these products, only a small percentage of them come from domestic farms. There are fewer than 100 sheep dairies in the US, milking a total of about 5,000 ewes (www. Spooner Station). There is currently only one other sheep dairy in the state of Massachusetts which is run by Harvey and Mary Carter in the town of Heath. According to the Carters, who sell their cheeses to local merchants within a 50 mile radius of their farm, there is a growing demand for sheep cheeses in Berkshire County and there would be a market for these products in Williamstown (Harvey Carter, pers. comm.) One of the reasons that sheep's milk products are becoming so popular in this country is that many allergy sufferers are using them as an alternative to cow's milk. In 1982, 37% of all infants under the age of two in America showed varying degrees of gastro-intestinal reactions to

cow's milk (Mills, 1982). It was found that while some of these children could not tolerate any form of milk, many of them responded well to sheep's milk products.

### **Converting the Barns for Dairying**

Another benefit of the sheep dairy is that the barns that are present on the property could be converted in a variety of ways to provide the facilities needed in a dairy operation. One of the functions of a barn on a sheep dairy would be to store the hay and silage needed by the flock during the winter months. Depending on the fertility and drainage in a pasture, a dairy farmer can keep about five ewes per acre on land that is also being used to grow winter feed such as hay and silage (Mills 1982). While this means that a maximum of about 250 ewes could be kept on the Sunnybrook property, a more realistic number for a large-scale flock would be closer to 150 ewes (Deane et al. 1996). Considering that a ewe consumes about 110 pounds of hay per month, I estimated that a flock of 150 ewes would need around 2,300 bales of hay over the winter (Harvey Carter, pers. comm). In the 1970s and 80s, Art Rosenberg and his father stored about 4,000 "loose" bales in the hay lofts of both the horse and cow barns (Art Rosenberg, pers. comm). This suggests that there is enough room in these hay mows to store the winter feed for a large flock of sheep.

While the sheep would be part of a "rustic flock" that would spend most of its time out on the pasture, there would be times, such as in the spring during lambing season, when they would also need a safe, dry, protected indoor area. When a ewe is ready to lamb, she needs a minimum of about two square meters or 22 square feet of floor space (Mills 1982). According to the WRLF appraisal of the Sunnybrook property, the ground floor of the two story section of the cow barn has 1080 square feet of space. If this lower level were completely empty, it could provide enough room for at most 50 ewes to lamb at once. The ground floor of the barn is currently filled with the milking stalls from the Rosenberg dairy. In order to make the open space needed for a lambing area, these stalls

and some of the supporting posts could be removed without affecting the structural support of the ceiling (Eric Beattie, pers. comm.).

The next major consideration for starting a sheep dairy would be determining where the milking parlor would be located. For milking parlors and collecting yards, it is important that the floors are made of well drained concrete that can be hosed off at the end of each day. Cleanliness is very important in these areas, because ewe's milk is higher in fat than other types of milk, which makes it more susceptible to contamination (Mills 1982). The size of the milking parlor would depend on how many sheep the future owners had and on what method of milking they chose to use. The first option would be that they might have a small flock of between 35-50 ewes that would be handmilked twice a day. For this arrangement, the milking parlor would only need to have two ramps leading up to a short metal platform with a six-piece "cascading yoke" that would hold the sheep while they were being milked (Harvey Carter, pers. comm.). If there were a larger flock on the property, however, a more substantial milking parlor, complete with an automated vacuum pump system, would have to be constructed. These larger parlors often have a milking pit that the farmer descends into, with twelve ewes positioned on either side and the hose system hanging from the ceiling (www. Spooner). We suggest that the parlor could be installed in the horse barn, which enough floor space (1,230 square feet) to accommodate either the small or large scale options. The only negative aspect of this barn is that an entirely new concrete floor would have to be poured for the entire ground level.

While some dairy farmers store the collected milk and ship it to outside cheese producers, Dr. Lawrence Faillace, a sheep dairyman in Vermont, feels that in order for a sheep dairy to make a profit today, it needs to be as "vertically integrated" as possible. This means that all stages in the production of the cheese should happen on the property, rather than dividing the process up by sending the milk through a middleman. For this to happen at the Rosenberg farm, one of the buildings would have to be converted into a cheese processing room. Cleanliness is even more important in one of these rooms than in

the milking parlor or gathering yard, since the quality of the cheeses can be easily changed due to outside contamination. At first, we proposed that the chicken coop could be gutted and renovated to accommodate the cheese making equipment. However, since the WRLF property appraisal doesn't consider this building worth renovating, we would recommend that the newly built garage, which already has a concrete floor and better electrical facilities, be used instead.

The costs of setting up the cheesemaking room on the dairy could be greatly reduced by buying previously owned rather than new equipment. The cheese processing room at the Carters' farm is an excellent example of how this could work at the Rosenberg farm. In cheesemaking, a hot water heater delivers 180 degree water through a system of pipes to large metal vats which heat the sheep's milk with a combination of added bacteria. The milk is then separated into different parts, which are pressed into wheels of cheese and aged in either an electric cooler or a stone "cave" for six to nine months (Harvey Carter, pers. comm.). The following table compares the used prices of some of the Carters' equipment with the prices that they estimate that they would pay for the same equipment today.

**Comparing Used and New Prices for the Processing Equipment**

| Prices for used equipment                                    | Prices for new equipment  |
|--|---|
| ? Hot water heater   | \$600 Hot Water Heater  |
| \$600 10 gallon Chocolatier +<br>40 gallon Campbell Soup Vat | \$4,000 - \$6,000 New vats that can hold about 50<br>gallons of fluid |
| \$175 McCall's cooler from 1940s                             | \$2,250 New or used cooler  |
|  | \$5,000 - \$7,500 Dry stone "cave"                                    |

The total cost of building and equipping a cheese room similar to the one on the Carters' farm would be about \$15,000. This price would have to be adjusted according to how

many sheep were kept at the Rosenberg farm, since a larger flock would produce more milk that would require more equipment to process.

Our proposal of putting the milking parlor in the horse barn and the lambing area in the cow barn would require renovations in both buildings. Eric Beattie, a building inspector from Buildings and Grounds, estimated that it would cost about \$25,000 to stabilize the barns and to keep them from deteriorating (pers. comm.). The following table lists what some of these repairs might include and a rough estimate of what they would cost.

| Repairs to the cow and horse barns    | Cost     |
|---------------------------------------|----------|
| Repair the roof sag in both barns     | \$5,000  |
| Replace the roof on the cow barn      | \$12,000 |
| Install new windows on both barns     | \$2,000  |
| Foundation Repair                     | \$4,000  |
| Replacing doors, hardware, electrical | \$2,000  |
| Total                                 | \$25,000 |

The alternative to renovating these barns would be to tear them down and construct a new barn in their place. A new barn, complete with a lambing area, sufficient hay storage, and a milking parlor, could cost between \$60,000 and \$75,000 (Harvey Carter, pers. comm.). If it were possible to use lumber from the property and volunteer labor, then this estimate could be reduced by as much as \$18,000 to \$20,000. Even when this is considered, however, it appears that it would still be more economical to convert the old barns than to build entirely new facilities.

### **3. The Llama Option**

An alternative to the sheep dairy proposal that would also keep the Rosenberg farm in agriculture would involve starting a farm that would raise llamas for a number of uses. Llamas are a group of wild and domesticated South American ruminants that are related to camels, but that are smaller and do not have humps. One advantage of a llama farm at

Sunnybrook is that, like sheep, llamas would browse the hillside, which would help to meet Art Rosenberg's and WRLF's wish of keeping the property open and productive. Other advantages of this proposal are that llamas could be used in a variety of different ways and the buildings on the property could be easily renovated to accommodate their needs.

An increasingly popular form of outdoor recreation involves using llamas as pack animals. Llama packing is different from horse trekking in that the participant hikes in front of the llama on the trail leading the animal by a tow rope. Some of the potential clients who would use llamas for packing include active retirees who are no longer able to carry heavy packs and cumbersome gear. Backcountry fishermen and surveyors, who need to carry heavy equipment into remote areas, are another group that might provide business for a llama farm at Sunnybrook (Birutta 1997). Our proposal is that a pack llama operation could offer customized adventure hikes to clients in the Williamstown area. These hikes could range from leisurely walks to multi-day excursions, where both equipment and catered meals would be provided.

The major cost involved in starting a packing operation would come from purchasing the start up herd. If the owner chose to buy seasoned pack llamas, the cost could range from \$1000 to \$1500 for trained geldings (castrated). Prices for female llamas would be more considerable, with female crias (young llamas) ranging from \$7500 to \$10,000 and bred adult females ranging from \$10,000 to \$20,000 (Burt 1991). If buying a startup herd proved to be too large an investment, another alternative would be to run a "llama summer pack camp" (Birutta 1997). In this situation, a packing company would board another breeder's llamas over the summer, training them for lightweight packing and using them to lead clients on hiking trips. This option would save the company from having to buy a permanent herd, but would require investing time and energy to train the new "recruits" every season.

Another option that a llama farmer could pursue would involve selling llamas as livestock guardians. A llama that is removed from its family group and introduced to a flock of sheep will become the protector of the new group, guarding the flock from predators such as foxes, coyotes, and wild dogs. Many shepherds feel that llamas are better suited to protecting livestock than conventional watch-dogs or donkeys because they bond quickly with the flock and will continue to protect the sheep for up to 15 years (Birutta 1997). Dogs may need as many as three years to learn how to protect a flock and donkeys will often lose interest in their sheep after about four years.

At the same time that llamas were being raised as packing or guardian animals, their manure could be collected and marketed as a specialty fertilizer. Llamas produce a high nitrogen, naturally rich manure that can be applied directly and immediately to plants without the danger of burning them (Elizabeth McHale, pers. comm.). One aspect of the llama's behavior that would make manure collection easier is that a herd establishes a central dung pile and deposits manure in this single location rather than spreading it over an entire pasture (Gail Birutta, pers. comm.). A farmer could lay down plastic tarps in this site and collect the llama pellets quickly and efficiently. Another implication of the central pile is that it could potentially reduce the amount of animal waste leeching into Hemlock Brook. The wetland on the property drains into the brook through a small stream, which could potentially carry high levels of nitrogen and other nutrients from animal manure into the brook. If the dung pile had a plastic lining placed underneath it, then virtually no waste would be able to seep into the stream and pass into the brook.

Along with the collected pellets, the fiber from guardian and pack llamas could be shorn and sold as a high quality wool<sup>2</sup>. Llamas are two coated animals, with a coarse outer layer of guard hairs that serves as a moisture barrier for the soft, downy undercoat that retains most of the body heat. The undercoat is virtually lanolin-free, making llama wool

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<sup>2</sup> In general, llama fiber is referred to as "wool", but it is technically considered a hair because it has a hollow core.

hypoallergenic and ideal for clothing (McHale, pers. comm.). Because the hairs have a hollow center, llama wool is lightweight, providing warmth and insulation without bulk. A fully grown llama will produce between three and eight pounds of fiber each year. After being cleaned and carded, this fiber could then be sold to spinners for between \$40 to \$64 per pound, which translates into an additional \$120-\$512 per animal per year (Birutta 1997).

As in the sheep dairy, one of the main economic considerations for llamas involves providing an enclosed shelter for birthing in severe weather. In a mild climate, a simple three sided windbreak with about four inches of straw bedding is all that would be needed by a small herd. A llama farm in Williamstown, however, would also require a barn equipped with a maternity room that would have raised flooring, insulated walls, and an easily regulated, safe heater (Birutta, 1997). As with our proposal for a potential lambing area in the sheep dairy, the ground floor of the cow barn could be renovated and converted into this maternity area.

Our proposal of starting a llama farm on the Rosenberg property would provide an alternative that would preserve the scenic value and the agricultural character of the land. The major costs that would be involved with starting a llama farm would come from purchasing the start-up herd and the costs of stabilizing the barns. In addition to this, another cost that might be considered is how easily the future owner could reverse his or her investment in the llama farm. As discussed earlier, one of the main advantages of a sheep dairy is that it is relatively easy to acquire used milking and cheesemaking equipment at lower costs. If a private party started a sheep dairy on the Rosenberg farm and then decided to sell the business after a number of years, most of the vats, coolers, and milking platforms could be put on the market. In the llama proposal, however, it is not clear how easy it would be to sell back the llamas and the equipment involved in shearing, fertilizer collecting, and packing. Even when this is considered, however, we feel that the multiple

uses of llamas would create a sustainable business that would be well suited to the site and the needs of Mr. Rosenberg and the WRLF.

### **Options Considered But Not Mentioned**

First of all, we must address the “Boltonian” option--doing nothing. Doing nothing is not really an option for us, in that an agreement between Mr. Rosenberg and the WRLF has been made, and the time will inevitably come when Art is no longer able to actively manage the property. On a more physical, down to earth level, doing nothing would entail a cessation of all maintenance of the property, resulting in decaying and/or collapsing buildings and a regrowth of the forest, both of which are directly contrary to Art’s wishes and the conservation restriction.

We did consider other options that seemed plausible as future management options. Some of them turned out to be either not possible or unlikely to be successful, and others were simply deemed to be not as good as the four that we finally picked for the recommendation. The first idea in this vein was that Williams College would purchase the property and use it as both an agricultural educational tool and as a working organic garden. This idea was many-faceted and had other smaller possibilities within it, such as the renovation of the house for use as a professor’s home. Professors in various departments, such as biology, geology, and American Studies, could bring classes to the farm in order to study different aspects of it as part of the curriculum. The lower flat could also be used as an experimental organic garden worked both by students and a caretaker hired by the college. This farm would fill both the needs for more on-campus housing (as faculty housing located closer to campus could be converted to student housing) and the desire for more hands-on learning in the classroom.

This proposal had a fair amount of support from both students (many of whom worked on the forest garden located in front of CES) and from faculty, but was stalled when it encountered the college’s policy on acquiring new property. Apparently the board

of trustees recently evaluated the college's holdings, and decided that the school already owns far too much land, and it is too scattered away from the main campus. This being the case, the vice president has been urged to halt all acquisitions and to look for ways to relieve itself of some of the less desirable holdings. Nowhere in the foreseeable future is there room for a college farm, so the idea had to be abandoned.

The second idea that was considered was the conversion of Sunnybrook farm to a horse stable and hay farm. The two barns would be converted to seven or eight horse stalls. The WRLF are in the process of drafting a conservation restriction for Sunnybrook Farm, Art's property, that will remove the development rights from land and keep it legally open forever. This restriction will make the land easier to purchase, but also more difficult to manage in terms of keeping the land financially self-sustaining. Our project was to find uses for the farm that are in keeping with the guidelines of the restriction as well as the WRLF's wish that the land remain agricultural. In touring the farm, it was decided that, although not an outrageous proposition, the horse farm was not the best idea for many reasons.

For starters, the horses could not be allowed on the upper slope at all, for fear of them slipping and breaking a leg. This would make insurance on the farm very expensive, and would leave the owner open to lawsuits. Secondly, the equipment needed for a haying operation is expensive, requires a lot of maintenance, and, in the words of Dick Demayo, "Art is the only one crazy enough to take a tractor up there!". (Dick Demayo, interview, 1997) The haying would require the purchase of a tractor, baler, tetter, mulcher, and would require two people full-time (outside of the two required just to keep the horses) to work the operation. Hay is also very sensitive to water levels, which would mean that in a bad year, the owner would have to purchase the hay from outside sources and would risk losing money. The horses also require a lot of maintenance and a diverse food supply. All in all, a horse farm would require a lot more initial capital, equipment, insurance, and manpower than either the llama farm or the sheep dairying operation.

Another idea that came and went was to open up a “community kitchen.” This would have involved planting berry brambles and fruit trees on the lower half of the property and converting the kitchen in the house to accommodate the larger boiling apparatus needed for making jams. Memberships could be sold which would also be valid in the wintertime for sledding on the hill and hot chocolate making in the house. Although a rumor circulated that Ms. Cathy Roth at the Massachusetts Agricultural Extension office had received a \$6,000 grant to do a feasibility study regarding the establishment of a community kitchen in Massachusetts this year, it turned out that she was actually investigating opening a “value-added processing plant”, where farmers could bring their surplus tomatoes (for example) to a central location and produce higher-value good, say, salsa. A community kitchen did exist in the 1970’s in Northampton, Massachusetts, funded by the Ball Jar Corporation out of Ohio, but it folded rather quickly due to a poor layout and lack of interest. Unsure of the interest locally, we decided to abandon this option.

## **Conclusion**

Despite the amount of time we have spent on this project, we have still been unable to come up with a “best” option for a number of reasons. First of all, it seems that the feasibility of certain options will depend directly on who the future owner of the property is, which, as yet, remains undermined. Art is looking for someone who is interested in continuing to farm, so his will is undetermined. The Rural Lands Foundation will have right of yearly oversight, but as a land trust, they are not interested in owning the property unless need absolutely dictates that they do. Additionally, there seems to be an unfortunate contradiction between what uses of the property would be most in keeping with Mr. Rosenberg’s desires and the conservation restriction and those which would fit more cogently and immediately into the Williamstown economy. Currently, several B&B’s are operating successfully in Williamstown, and with the market they attract, there seems to be

room for one more. There is also an actual, indicated interest in growing nursery stock as well as a market for it and the means of producing and distributing the product.

However, sheep and llamas would better fulfill the requirements of the agricultural restriction in terms of keeping the *entire* hillside open and productive, because it is the open space that Art especially cherishes. Another point worth considering is that work could begin immediately on a nursery operation, allowing Art to have a hand in the future layout and design of the property, while the other options would require several more years of preparation and considerably more capital to begin. This means that the property could be in limbo for several years until the desire and startup capital are found, placing the burden of property maintenance entirely on the shoulders of the WRLF. Hopefully, the information we have presented above will provide feasible enough options to encourage the working of a restricted property by assisting the future owner of Sunnybrook Farm in making the “best” decision they can.

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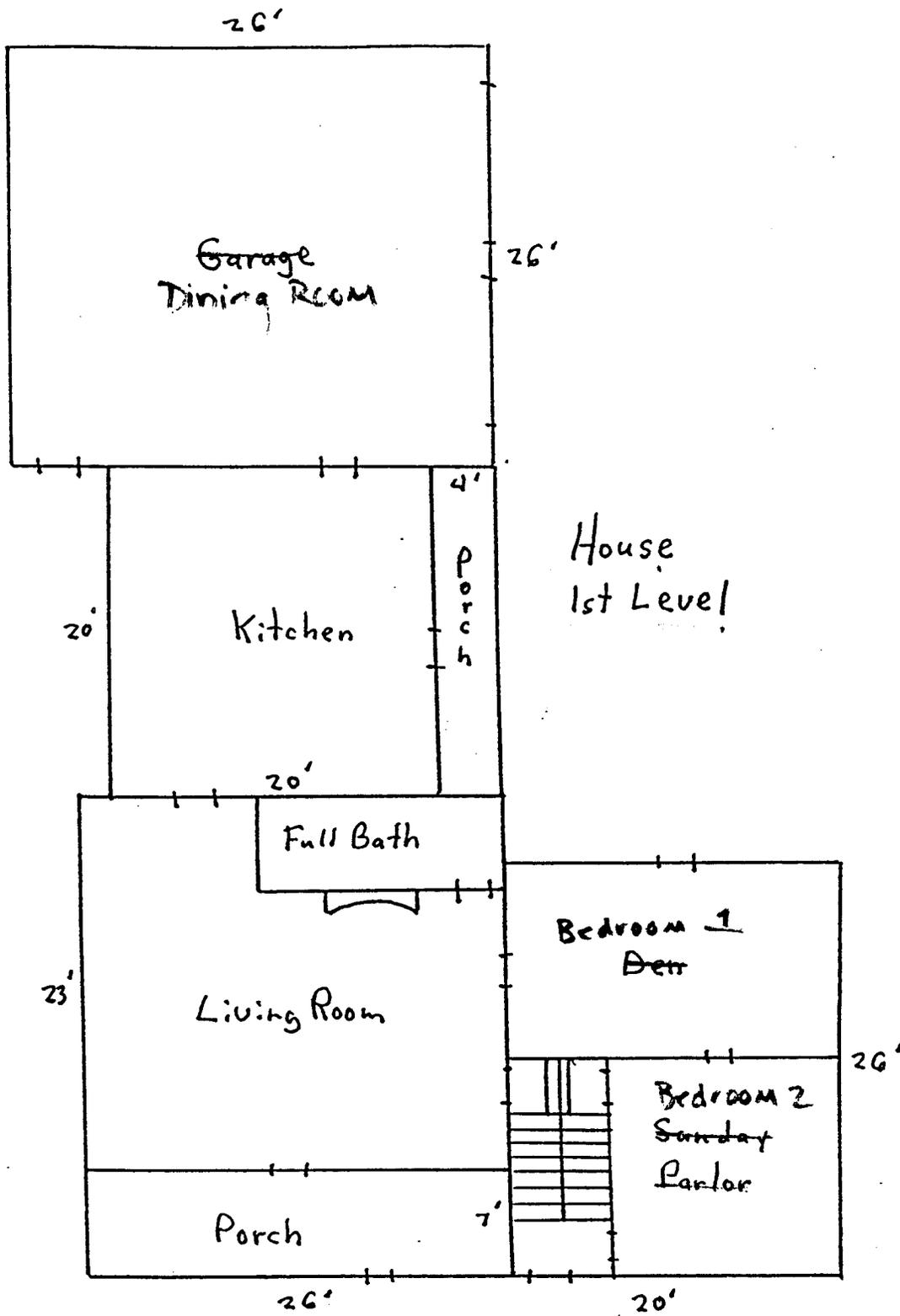
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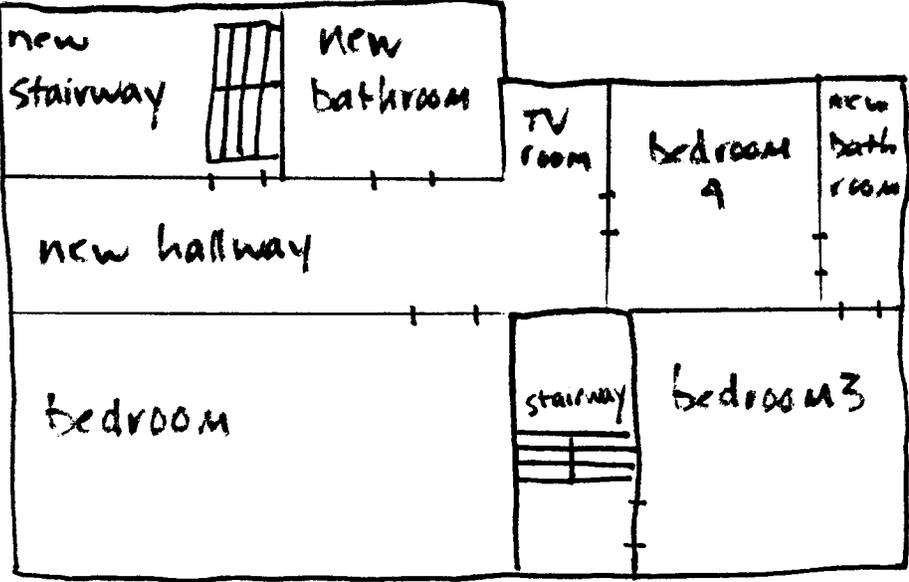
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# Appendix I : Bed & Breakfast Floor Plans

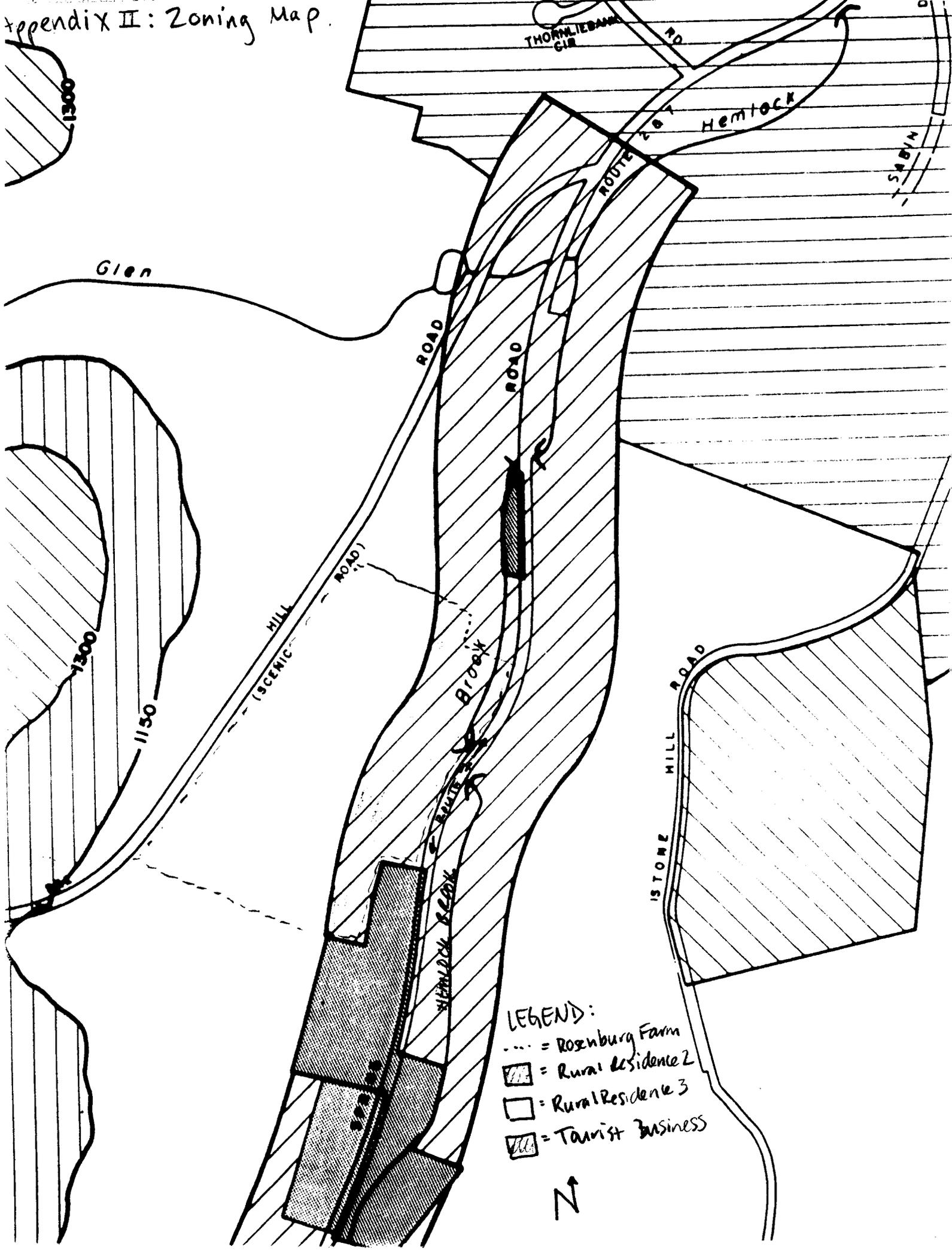


House Layout

House  
Second Level  
(not to scale)



# Appendix II: Zoning Map.



- LEGEND:
- ..... = Rosenberg Farm
  - [Cross-hatched] = Rural Residence 2
  - [White] = Rural Residence 3
  - [Diagonal-hatched] = Tourist Business



Fig. 3: Soil Types on the Rosenberg Property

